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COMMUNITIES FOR A BETTER ENVIRONMENT

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Attorneys for Defendant
Action Metal Recycling, Inc.

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

Communities for a Better
Environment, a California non-profit
corporation,

Plaintiff,

v.

Action Metal Recycling, Inc., a
California corporation,

Defendant.

CASE NO: C07-02768 JCS

STIPULATION AND ORDER
DISMISSING COMPLAINT

Magistrate Judge: Joseph C. Spero

Plaintiff Communities for a Better Environment and Defendant Action Metal Recycling, Inc. by and through their undersigned counsel, stipulate and agree that pursuant to the terms of the Consent Agreement between them and Fed. R. Civ. P. 41(a)(2), the Complaint in this action shall be dismissed with prejudice, with this Court, the Hon. Joseph C. Spero presiding, to retain jurisdiction over the parties for

the purpose of enforcing the terms of the Consent Agreement.

IT IS SO STIPULATED.

DATED: June 10, 2008

**COMMUNITIES FOR A BETTER
ENVIRONMENT**

s/Shana Lazerow¹
Counsel for Plaintiff
E-mail: slazerow@cbeal.org

DATED: June 10, 2008

TRUTANICH • MICHEL, LLP

s/W.Lee Smith
Counsel for Defendant
E-mail: lsmith@tmlp.com

ORDER

The Court having reviewed and approved the Consent Agreement between the parties, and having received the parties' stipulation and for good cause shown,

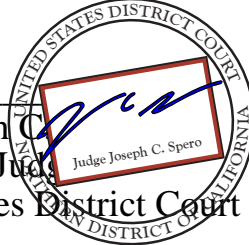
IT IS HEREBY ORDERED that the Complaint in this action is dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(2).

IT IS FURTHER ORDERED that this Court shall and hereby does retain jurisdiction over the parties for the purpose of enforcing the terms of the Consent Agreement.

IT IS SO ORDERED.

Dated: June 11, 2008

Hon. Joseph C. Spero
Magistrate Judge
United States District Court



¹As the filing attorney, I certify that counsel for Action Metal has authorized me to file this document with his signature. Pursuant to General Order 45 IX, this action being designated for electronic filing, the above document is deemed served on Defendant upon filing via the ECF.

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